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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/642,283

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08/08/2005

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EXAMINER

NGUYEN, HUNG THANH

ART UNIT

PAPER NUMBER

2841

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/642,283

Applicant(s)

KAKINOKI ET AL.

Examiner

HUNG T. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/27/03</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

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**DETAILED ACTION***Claim*

***Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1, 5, 7, 8, 9, 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Weisburn et al. (US 5259498).

**Regard claim 1:** Weisburn et al. discloses in figure 2 an appearance protective case, comprising: a sheet member (51) including a draw-processed sheet member (51) treated with coloring or marking and a transparent or translucent cover case (2 and 3); wherein the sheet member (51) is fitted into the cover case (2 and 3) such that the sheet member (51) extends in close contact with an inner surface of the cover case (2 and 3).

**Regard claim 5:** Weisburn et al. discloses the appearance protective case wherein the sheet member (51) comprises paper (see column 6, line 35-44).

**Regard claim 7:** Weisburn et al. discloses in 4 the appearance protective case wherein the cover case (2 and 3) and the sheet member (51) are firmly fixed to each other (see column 5 line 35-46).

**Regard claim 8:** Weisburn et al. discloses in figure 2 an appearance protective case assembly, comprising: a frame (1) having a groove (56) formed along at least one side thereof; a sheet member (51) including a draw-processed sheet

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member treated with coloring or marking and a transparent or translucent cover case (2 and 3); wherein at least one side of the sheet member (51) is inserted into the groove (56) of the frame, and the transparent or translucent cover case (2 and 3) and the frame are firmly fixed to each other so as to sandwich and hold a portion of the sheet member (51), including said at least one side.

**Regard claim 9:** Weisburn et al. disclose in figure 4 the appearance protective case wherein the sheet member (51) comprises at least one flange (see column 5, line 39-46, the sheet has at least 1 flange) at the front thereof such that the flange is sandwiched and held by the cover case (2 and 3) and the frame (1).

**Regard claim 14:** Weisburn discloses in figure 3 the appearance protective case assembly wherein steps (gap between 56 and 1) are formed in the groove (56) of the frame (1).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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Claim 2, 3, 4, 6, 10, 11, 12, 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Weisburn et al. (US 5259498) in view of Nakayama (US 6413630) and Jones et al. (US 6438638)

**Regard claim 2:** Weisburn et al. discloses all the elements of the appearance protective case assembly as described above respect to claim 1 except, Weisburn et al. does not disclose the appearance protective case according to Claim 1, wherein the sheet member includes a decorative film comprising resin. Nakayama discloses the decorative film comprising resin (see column 1, line 20 and further)

Weisburn et al. and Nakayama are analogous art because they are from the same field of endeavor to decorate cases.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art, to make decorative film comprise resin of Weisburn et al. as taught by Nakayama.

Therefore, it would have been obvious to combine Weisburn et al. and Nakayama for the benefit of being able to decorate their products.

**Regard claim 3 and 4:** Weisburn et al. discloses all the elements of the appearance protective case assembly as described above respect to claim 1 except, Weisburn et al. does not disclose the appearance protective case wherein the decorative film comprises a transparent film (see abstract and further) having a rear/front surface treated with coloring or marking.

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Nakayama discloses disclose the appearance protective case wherein the decorative film comprises a transparent film (see abstract and further) having a rear/front surface treated with coloring or marking.

Weisburn et al. and Nakayama are analogous art because they are from the same field of endeavor to decorate cases.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art, to make decorative film of Weisburn et al. as taught by Nakayama.

Therefore, it would have been obvious to combine Weisburn et al. and Nakayama for the benefit of being able to decorate their products.

**Regard claim 6:** Weisburn et al. discloses all the elements of the appearance protective case assembly as described above respect to claim 1 except, Weisburn et al. does not disclose the appearance protective case wherein the sheet member (explain in claim 1) comprises a metal sheet (see abstract and further).

Nakayama discloses the appearance protective case wherein the sheet member (explain in claim 1) comprises a metal sheet (see abstract and further).

Weisburn et al. and Nakayama are analogous art because they are from the same field of endeavor decorate cases.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art, to make metal sheet of Weisburn et al. as taught by Nakayama.

Therefore, it would have been obvious to combine Weisburn et al. and Nakayama for the benefit of being able to decorate their products.

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**Regard claim 10:** Weisburn et al. discloses all the elements of the appearance protective case assembly as described above respect to claim 8 except, Weisburn et al. does not disclose the a circuit board, wherein the circuit board is sandwiched and held by the appearance protective case (explain above) and the frame (explain above) such that the sheet member (explain above) and the frame (explain above) lie in contact with opposing surfaces of the circuit board.

Jones et al. discloses in figures 2A-3B the a circuit board (circuit included storage reside inside the SD, MMC, MEMORY STICK etc), wherein the circuit board (circuit included storage reside inside the SD, MMC, MEMORY STICK etc) is sandwiched and held by the appearance protective case and the frame (explain above) such that the sheet member and the frame lie in contact with opposing surfaces of the circuit board ((circuit included storage reside inside the SD, MMC, MEMORY STICK etc)

Weisburn et al. and Nakayama are analogous art because they are from the same field of endeavor to decorate cases.

Therefore, it would have been obvious to combine Weisburn et al. and Nakayama for the benefit of being able to decorate their products.

**Regard claim 11:** Weisburn et al. discloses all the elements of the appearance protective case assembly as described above respect to claim 8 except, Weisburn et al. does not disclose the appearance protective case assembly further comprising an upper metal cover (see abstract and further can be disposed anywhere depending on market requirement) firmly fixed to the cover case (explain above) and the frame (explain above), and a lower metal cover

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(see abstract and further can be disposed anywhere depending on market requirement) firmly fixed to the frame (explain above) such that at least a colored or marked pattern printed on the sheet member is exposed.

Nakayama discloses the appearance protective case assembly further comprising an upper metal cover (see abstract and further can be disposed anywhere depending on market requirement) firmly fixed to the cover case and the frame (explain above), and a lower metal cover (explain above) firmly fixed to the frame such that at least a colored or marked pattern printed on the sheet member (explain above) is exposed.

Weisburn et al. and Nakayama are analogous art because they are from the same field of endeavor to decorate cases.

Therefore, it would have been obvious to combine Weisburn et al. and Nakayama for the benefit of being able to decorate their products.

**Regard claim 12:** Weisburn et al. discloses all the elements of the appearance protective case assembly as described above respect to claim 8 except, Weisburn et al. does not disclose a Compact Flash card comprising the appearance protective case assembly.

Jones et al. discloses a Compact Flash card comprising the appearance protective case assembly.

Weisburn et al. and Nakayama are analogous art because they are from the same field of endeavor to decorate cases.

Therefore, it would have been obvious to combine Weisburn et al. and Nakayama for the benefit of being able to decorate their products.



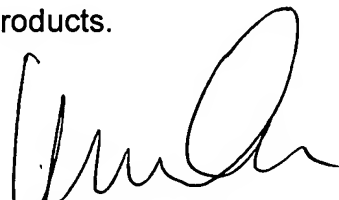
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**Regard claim 13:** Weisburn et al. discloses all the elements of the appearance protective case assembly as described above respect to claim 1 except, Weisburn et al. does not disclose the appearance protective case wherein the decorative film is made of one of polystyrene, acrylonitrile-butadiene-styrene copolymer, acrylonitrile-styrene copolymer, polyvinyl chloride, methacrylic resin, cellulosic resin, polycarbonate, polyethylene, polypropylene, polyvinylidene chloride, polyacetal, polyamide, and fluorocarbon resin.

Nakayama discloses the appearance protective case wherein the decorative film is made of one of polystyrene, acrylonitrile-butadiene-styrene copolymer, acrylonitrile-styrene copolymer, polyvinyl chloride, methacrylic resin, cellulosic resin, polycarbonate, polyethylene, polypropylene, polyvinylidene chloride, polyacetal, polyamide, and fluorocarbon resin.

Weisburn et al. and Nakayama are analogous art because they are from the same field of endeavor to decorate cases.

Therefore, it would have been obvious to combine Weisburn et al. and Nakayama for the benefit of being able to decorate their products.



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